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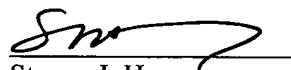
DOCKET NO.: A0312.70480 US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert A. Penchuk  
Serial No.: 10/648,939  
Confirmation No.: 5934  
Filed: August 27, 2003  
For: MEMORY GAIN CELL  
Examiner: Vu Anh Le  
Art Unit: 2824

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 5<sup>th</sup> day of October, 2005.

  
Steven J. Henry  
Reg. No. 27,900

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT AND REQUEST FOR RECONSIDERATION**

In response to the Official Action mailed June 28, 2005, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this amendment.

**Remarks** begin on page 5 of this amendment.